

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA	§	
	§	No. 4:19CR116
v.	§	Judge Crone
	§	
DANIEL FRANKLIN HEATH	§	

ELEMENTS OF THE OFFENSE

The defendant, **Daniel Franklin Heath (Heath)**, is charged in Count One of the Indictment with violating 18 U.S.C. § 2422(b) (Coercion and Enticement). The elements of the offense that the government must prove beyond a reasonable doubt, but that **Heath** would admit if his plea is accepted, are:

1. The defendant knowingly persuaded, induced, enticed, or coerced an individual to engage in any sexual activity, as charged;
2. The defendant used a means and facility of interstate and foreign commerce to do so;
3. The defendant believed that such individual was less than 18 years of age; and
4. The sexual activity constitutes a violation of 18 U.S.C. § 2251(a) (Sexual Exploitation of Children).

Respectfully submitted,

JOSEPH D. BROWN
UNITED STATES ATTORNEY

/s/

Marisa J. Miller
Assistant United States Attorney
New York Bar No. 4366415
101 East Park Boulevard, Suite 500
Plano, Texas 75074
(972)509-1201
(972)509-1209 (fax)
Marisa.Miller@usdoj.gov

CERTIFICATE OF SERVICE

I certify that a copy of this document was served by electronic filing to opposing counsel on September 16, 2019.

/s/

Marisa J. Miller